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CHA & REITER, LLC
210 ROUTE 4 EAST STE 103
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OFFICE OF PETITIONS

In re Application of
Jea-Hyuck Lee, et al.
Application No. 10/713,393
Filed: November 14, 2003
Attorney Docket No. 5000-1-496

ON PETITION

This is a decision in response to the petition, filed May 10, 2007, requesting that the above-identified application be withdrawn from issue.

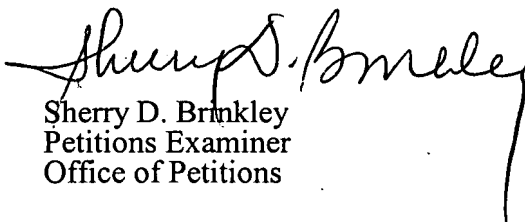
The petition is dismissed as moot.

A review of the file record discloses that a Notice of Allowance and Fee(s) Due was mailed on February 21, 2007, with the issue fee being due on or before May 21, 2007. The issue fee has not been paid. However, petitioners request that the application be withdrawn from issue to permit consideration of an information disclosure statement filed with a request for continued examination (RCE) on May 10, 2007.

The mere filing of an RCE and submission will effectively withdraw an application from issue prior to payment of the issue fee. In view thereof, the petition to withdraw from issue is dismissed as involving a moot issue. *Note* MPEP §§ 706.07(h)(IX) and 1308.

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3204.

The application is being referred to Technology Center AU 2613 for further processing of the RCE under 37 CFR 1.114 filed May 10, 2007.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions